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10

11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**
13

14 TEHILA DASHEFF, an individual,

15 Plaintiff,

16 v.

17 HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY, a Connecticut
18 corporation, DOES I through X; ROE
CORPORATIONS I through X,

19 Defendants.
20

Case No. 2:23-cv-00816-CDS-DJA

**STIPULATION, REQUEST AND ORDER
EXTENDING TIME FOR DEFENDANT
HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY TO ANSWER
OR OTHERWISE RESPOND TO
PLAINTIFF'S COMPLAINT**

[First Request]

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23 Plaintiff Tehila Dasheff ("Plaintiff"), through her counsel, Brian W. Boschee and Eliyahu
24 Bergida of the law firm of Holley Driggs, and Defendant Hartford Life and Accident Insurance
25 Company ("Hartford"), through its counsel, Michael R. Brooks of the law firm of Hutchison &
26 Steffen, PLLC/Nancy J. Marr of the law firm of Burke, Williams & Sorensen, LLP (*Pro Hac Vice*
27 in progress), hereby respectfully submit this Stipulation, Request and Order to Extend Time to
28 Answer or Otherwise Respond to Plaintiff's Complaint (the "Stipulation"). This Stipulation is

1 made in accordance with LR IA 6-1, LR IA 6-2, and LR 7-1 of the Local Rules of this Court.
2 This is the first request for an extension of time for Hartford to file an answer or otherwise respond
3 to Plaintiff's Complaint. No prior extensions have been requested in this case.

4 Hartford was served with Plaintiff's Complaint on April 26, 2023, making its responsive
5 pleading initially due on May 26, 2023. Defendant Hartford filed its Notice of Removal on
6 May 25, 2023, making its responsive pleading due June 1, 2023. The instant extension is requested
7 for the following reasons: Hartford's counsel just received notice of the Complaint on May 15,
8 2023, has associated local resident counsel, and requires additional time to apply for *pro hac vice*
9 admission to this Court. The parties have begun, and will require additional time, to meet and
10 confer regarding the issue of ERISA governance and preemption, which will determine the type of
11 responsive pleading Hartford intends, whether motion to dismiss under F.R.C.P. 12(b)(6) or
12 answer. Counsel for Hartford will require additional time to review the file in order to prepare a
13 responsive pleading to Plaintiff's Complaint, which may take time given the issues raised in the
14 Complaint and the nature of the file.

15 Upon agreement by and between all the parties hereto as set forth herein, the undersigned
16 respectfully requests this Court grant an extension of time, up to and including June 22, 2023, for
17 Hartford to file an answer or otherwise respond to Plaintiff's Complaint. By entering into this

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1 Stipulation, none of the parties waive any rights they have under statute, law or rule with respect
2 to Plaintiff's Complaint.

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4 DATED this 31st day of May, 2023.

5
6 HOLLEY DRIGGS

HUTCHISON & STEFFEN, PLLC

7 By /s/ Brian W. Boshchee

By /s/ Michael R. Brooks

8 Brian W. Boshchee (Bar No. 7612)

Michael R. Brooks (Bar No. 007287)

9 Eliyahu Y. Bergida (Bar No. 16197)

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Accident Insurance Company

17
18 **ORDER**

19 IT IS SO ORDERED.

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21 DANIEL J. ALBREGTS

22 UNITED STATES MAGISTRATE JUDGE

23 DATED: June 1, 2023